

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
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Attorneys for Secured Creditor
The Bank of New York Mellon As Co-Trustee for
Mortgage Equity Conversion Asset Trust 2010-1

In Re:

Michael Polk

Debtor.



Order Filed on March 4, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-27513 ABA

Adv. No.:


Hearing Date: 11/13/18 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 4, 2019



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Michael Polk

Case No: 17-27513 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, The Bank of New York Mellon As Co-Trustee for Mortgage Equity Conversion Asset Trust 2010-1, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 809 Walnut Street, Camden, NJ 08103, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Landlord and Eric Clayman, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 20, 2019, Debtor is in arrears outside of the Chapter 13 Plan to Landlord for rental payments due August 2018 through February 2019 for a total post-petition default of \$6,050.00 (7 @ \$975.00, \$775.00 less suspense); and

It is **ORDERED, ADJUDGED and DECREED** that the debtor's attorney is holding \$870.00, which is to be sent to the Landlord immediately; and

It is **ORDERED, ADJUDGED and DECREED** that the debtor is to make the February rental payment of \$975.00 no later than February 28, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$4,205.00 will be paid by Debtor remitting \$700.84 per month in addition to the regular rental installment, which additional payments shall begin on March 1, 2019 and continue for a period of six months until the post-petition arrears are cured; and

It is **ORDERED, ADJUDGED and DECREED** that the Landlord shall file a proof of claim for pre-petition arrears within 30 days of the date of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular payments are to resume March 1, 2019, directly to Landlord (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly payments are not made within thirty (30) days of the date said payment is due, Landlord may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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Debtor: Michael Polk

Case No: 17-27513 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that Landlord's Motion for Relief is hereby
resolved.

Certificate of Notice Page 4 of 4
 United States Bankruptcy Court
 District of New Jersey

In re:
 Michael Polk
 Debtor

Case No. 17-27513-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Mar 04, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 06, 2019.

db +Michael Polk, 809 Walnut Street, Camden, NJ 08103-2522

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 06, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 4, 2019 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO WELLS FARGO BANK, MINNESOTA, NATIONAL ASSOCIATION, AS TRUSTEE FOR REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2002-2 cwohrlab@logs.com, njbankruptcynotifications@logs.com
 Denise E. Carlon on behalf of Creditor The Bank of New York Mellon As Co-Trustee for Mortgage Equity Conversion Asset Trust 2010-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Eric Clayman on behalf of Debtor Michael Polk jenkins.clayman@verizon.net, connor@jenkinsclayman.com
 Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 Jeffrey E. Jenkins on behalf of Debtor Michael Polk jenkins.clayman@verizon.net, connor@jenkinsclayman.com
 Kevin Gordon McDonald on behalf of Creditor The Bank of New York Mellon as Trustee for Mortgage Equity Conversion Asset Trust 2010-1 kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
 Kevin M. Buttery on behalf of Creditor The Bank of New York Mellon bkyefile@rasflaw.com
 Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO WELLS FARGO BANK, MINNESOTA, NATIONAL ASSOCIATION, AS TRUSTEE FOR REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2002-2 nj.bkecf@fedphe.com
 Sherri Jennifer Smith on behalf of Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO WELLS FARGO BANK, MINNESOTA, NATIONAL ASSOCIATION, AS TRUSTEE FOR REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2002-2 nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11